

REMARKS

This paper is filed in response to the Office Action mailed March 30, 2009 and the Notice of Non-Compliant Amendment mailed July 20, 2010 ("Notice of Non-Compliant Amendment").

Following the amendments above, claims 80-90, 92-101, and 103-105 are pending in this application. Claims 79, 81-85, 90, 91, 93-96, 101, 102, 104, and 105 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over "Design and Evaluation of a High-Performance Prototype Planar Haptic Interface" by Ellis et al ("Ellis") in view of "A Tele-micro-surgery System across the Internet with a Fixed Viewpoint/Operation-Point" by Mitsuishi et al ("Mitsuishi"). Claims 86-89 and 97-100 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ellis in view of Mitsuishi and further in view of U.S. Patent No. 5,382,885 to Salcudean et al ("Salcudean"). Claims 80, 92, and 103 were objected to as being directed to allowable subject matter, but dependent from a rejected base claim. Applicant appreciates the allowance of claims 80, 92, and 103.

Applicant has amended claims 80-84, 86, 90, 92-95, and 103-105. Applicant amended claims 80, 92, and 103 to incorporate the limitations of independent claims 79, 91, and 102, respectively, from which they depend. Claims 82-84, 86, 90, 93, 94, 104, and 105 were amended to depend from one of amended claims 80, 92, and 103. Applicant has amended claim 95 to correspond with amended claim 80. No new matter is added by these amendments, and support may be found in the specification and claims as originally filed.

In view of the amendments above and the remarks below, Applicant respectfully requests allowance of all currently-pending claims.

I. Notice of Non-Compliant Amendment

In the Notice of Non-Compliant Amendment, the Examiner noted that claims 1-78 were not listed in the listing of the claims. Applicant has corrected the listing of the claims to recite that claims 1-79 have been cancelled.

II. § 103(a) – Ellis in view of Mitsubishi – Claims 79, 81-85, 90, 91, 93-96, 101, 102, 104, and 105

Applicant respectfully traverses the rejection of claims 79, 81-85, 90, 91, 93-96, 101, 102, 104, and 105 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ellis in view of Mitsubishi.

To sustain a rejection of a claim under 35 U.S.C. § 103(a), the scope and content of the prior art must disclose or suggest the claimed invention. *See* M.P.E.P. § 2141, 2143.

Applicant has cancelled claims 79, 91, and 102, rendering their rejection moot. Further, Applicant has amended claims 81-85, 90, 91, 93, 94, 104, and 105 to depend from one of allowed claims 80, 92, or 103. Thus, each of claims 81-85, 90, 91, 93, 94, 104, and 105 is each allowable for at least the same reasons as claims 80, 92, and 103. Applicant respectfully requests the Examiner withdraw the rejection of claims 81-85, 90, 91, 93, 94, 104, and 105.

Applicant has amended claim 95 to recite “wherein the input signal is associated with at least one of a web page, a java applet, or an ActiveX control. Claim 95 now recites limitations corresponding to allowed claim 80. Thus, claim 95 is patentable over Ellis in view of Mitsubishi for at least the same reasons as claim 80. Applicant respectfully requests the Examiner withdraw the rejection of claim 95.

Claims 96 and 101 each depend from and further limit claim 95. Therefore, claims 96 and 101 are each patentable over Ellis in view of Mitsubishi for at least the same reasons. Applicant respectfully requests the Examiner withdraw the rejection of claims 96 and 101

III. § 103(a) – Ellis in view of Mitsubishi and Salcudean – Claims 86-89 and 97-100

Applicant respectfully traverses the rejection of claims 86-89 and 97-100 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ellis in view of Mitsubishi and further in view of Salcudean.

To sustain a rejection of a claim under 35 U.S.C. § 103(a), the scope and content of the prior art must disclose or suggest the claimed invention. *See* M.P.E.P. § 2141, 2143.

Applicant has amended claim 86-89 to depend from allowed claim 80 (as amended). Therefore, 86-89 are each allowable over Ellis in view of Mitsuishi and Salcudean. Applicant respectfully requests the Examiner withdraw the rejection of claims 86-89.

Applicant has amended claim 95 as described above, from which claims 97-100 depend. Therefore, claims 97-100 are each patentable over Ellis in view of Mitsuishi and Salcudean. Applicant respectfully requests the Examiner withdraw the rejection of claims 97-100.

IV. Prior Art Made of Record and Not Relied Upon

In the Conclusion, the Office Action lists a reference that was made of record and not relied upon. Applicant respectfully traverses the characterization and relevance of this reference as prior art or otherwise, and respectfully reserves the right to present such arguments and other material should the Examiner maintain rejection of Applicant's claims, based upon the references made of record and not relied upon or otherwise.

CONCLUSION


Applicant respectfully asserts that in view of the amendments and remarks above, all pending claims are allowable and Applicant respectfully requests the allowance of all claims.

Should the Examiner have any comments, questions, or suggestions of a nature necessary to expedite the prosecution of the application, or to place the case in condition for allowance, the Examiner is courteously requested to telephone the undersigned at the number listed below.

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KILPATRICK STOCKTON LLP
1001 West Fourth Street
Winston-Salem, NC 27101
(336) 607-7474 (voice)
(336) 734-2629 (fax)

Respectfully submitted,



Carl Sanders
Reg. No. 57,203